

REGULAR CITY COUNCIL MEETING
JULY 22, 2002

PRESENT

Gayle Bunker
Wesley Bloomfield
Bruce Curtis
Robert Droubay
Margaret Dutson
Glen Swalberg

Mayor
Council Member
Council Member
Council Member
Council Member
Council Member

ABSENT

Neil Forster

Public Works Director

ALSO PRESENT

Richard Waddingham
Judy Baker
Alan Riding
Ken Clark
Gregory Jay Schafer
Deb Greathouse
Gerry Ogden
Peggy Overson
Brent Berkley
John Chartier

City Attorney
City Treasurer
Asst. Public Works Director
Public Works Employee
City Recorder
City Librarian
Millard County Bookmobile Librarian
City Resident
Library Board Member
Sunrise Engineering

Mayor Bunker called the meeting to order at 7:00 p.m. He stated that notice of the meeting time, place and agenda had been posted at the City Building, had been given to the Millard County Chronicle/Progress, to KNAK Radio, and to each member of the City Council, at least two days prior to the meeting. Gregory Jay Schafer, City Recorder, acted as secretary.

Council Member Bruce Curtis offered an invocation, following which Mayor Bunker led those in attendance in the Pledge of Allegiance.

MINUTES

The proposed minutes of a Regular City Council Meeting held July 8, 2002 were presented for consideration and approval. Following review, Council Member Wesley Bloomfield MOVED to approve the minutes of the Regular City Council Meeting held July 8, 2002, as presented. The motion was SECONDED by Council Member Robert Droubay. Mayor Bunker asked if there were

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any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a copy of which had been given to them two days prior to the meeting. Following review, Council Member Glen Swalberg MOVED to approve the accounts payable in the amount of \$156,526.91. The motion was SECONDED by Council Member Bruce Curtis. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

UNFINISHED BUSINESS

There were no items of unfinished business on the agenda.

NEW BUSINESS

MAYOR GAYLE BUNKER: PROPOSED WATER CONSERVATION RATE SCHEDULE

Mayor Bunker noted that this item is on the agenda for discussion and/or approval but he felt that the Council is not ready to approve a water conservation rate schedule at this time. Council Member Wesley Bloomfield MOVED to table discussion of this matter until a later date. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

MAYOR GAYLE BUNKER: PROPOSED AMENDMENT TO SECTIONS 12-920 THROUGH 12-925 OF THE DELTA CITY ZONING ORDINANCE

ORDINANCE NO. 02-201

AN ORDINANCE AMENDING TITLE 12, SECTION 920, *ET SEQ.* OF THE REVISED CODE OF ORDINANCES OF DELTA CITY (1981 EDITION), *AS AMENDED* REGULATING THE CONSTRUCTION, PLACEMENT, USE AND DISPLAY OF SIGNS WITHIN THE CORPORATE LIMITS OF DELTA CITY.

Mayor Bunker noted that the Council had copies of the proposed amendment to the Delta City Zoning Ordinance pertaining to signs. Council Members agreed that the amendment should include a ten year limit on sign permits and a requirement that business signs be removed if the Delta City business license is not renewed. Council Member Bloomfield questioned whether language could be handwritten into the ordinance which includes the ten year limit for off premises sign permits and

the requirement for removal of business signs prior to passing the ordinance. City Attorney Richard Waddingham advised the Council that the language could be hand written into the ordinance prior to passage. Council Member Bloomfield MOVED to table approval of this ordinance until later in the meeting in order to allow time for City Attorney Waddingham to insert the requested language. The motion was SECONDED by Council Member Robert Droubay. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Following discussion of Other Business, City Attorney Richard Waddingham read the language which he had inserted in the proposed amendment to the proposed sign ordinance.

Council Member Wesley Bloomfield MOVED to adopt Ordinance No. 02-201, an ordinance amending Title 12, Section 920, *et seq.* of the Code of Ordinances of Delta City (1981 Edition, as amended) regulating the construction, placement, use and display of signs within the corporate limits of Delta City. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a roll call vote. The voting was as follows:

Wesley Bloomfield	Yes
Bruce Curtis	Yes
Robert Droubay	Yes
Margaret Dutson	Yes
Glen Swalberg	Yes

The motion passed unanimously.

COUNCIL MEMBER ROBERT DROUBAY: LIST OF POTENTIAL INVITEES FOR PROPOSED RECEPTION AND REVIEW OF VAN'S HALL RESTORATION

Council Member Robert Droubay distributed a list of community members which he felt should be invited to a reception and review of the Van's Hall restoration. Council Member Droubay noted that he does not want to exclude anyone but merely suggested specifically inviting the list of individuals whose names he had distributed.

Mayor Bunker advised those in attendance that \$6,000 needs to be raised in order to obtain a matching grant for additional renovations to Van's Hall. It has been suggested that a reception be hosted for the purpose of allowing individuals to review the renovations which had been completed and ask for donations to complete additional renovations. Mayor Bunker suggested that the reception be open to everyone.

Council Member Droubay suggested that the reception be held sometime in September or October.

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Council Member Glen Swalberg MOVED to table further discussion of this matter until Council Member Droubay has a suggested date for the reception. The motion was SECONDED by Council Member Bruce Curtis. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ASST. PUBLIC WORKS DIRECTOR ALAN RIDING: AWARD OF CONTRACT AND APPROVAL TO PROCEED WITH CONSTRUCTION OF DELTA CITY CULINARY WATER IMPROVEMENTS PROJECT (200 NORTH PROJECT)

Asst. Public Works Director Alan Riding told the Council that a bid opening had been held for construction of a culinary water line improvement. He then asked Mr. John Chartier, of Sunrise Engineering, to discuss the bid results and recommendations.

Mr. Chartier reported that the bid opening had been held on Monday, July 15, 2002. There were eight bidders on the project. The engineer's estimate for the construction part of the project was \$84,935 and the low bidder was Curtis DeMille Construction at \$85,112. The remaining bids ranged from \$89,900 to \$129,000. References for Curtis DeMille were checked and Mr. Chartier recommended that the bid for construction be awarded to Curtis DeMille Construction.

Mr. Chartier advised the Council that, if approved by the Council, he has a Notice of Award, to be signed by the Mayor, which will be returned to Curtis DeMille Construction, along with the contract for construction of the project. Mr. Chartier outlined the process for awarding the contract, bonding and execution of the contract, as well as the Notice to Proceed with construction of the project. This process takes approximately two weeks.

Council Member Wesley Bloomfield MOVED to accept the bid from Curtis DeMille Construction, in the amount of \$85,112, for construction of a culinary water line and authorize Mayor Bunker to sign the Notice of Award. The motion was SECONDED by Council Member Robert Droubay. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

OTHER BUSINESS

Council Member Glen Swalberg advised the Council that he had invited Deb Greathouse, City Librarian, and Gerry Ogden, Millard County Bookmobile Librarian, as well as Brent Berkley, Library Board Member, to the meeting for the purpose of discussing a letter which had been received from Robyn Howell regarding the Delta City Library being in competition with her business, Gifts Unlimited, in renting video tapes. Council Member Swalberg felt that Delta City Library and Gifts Unlimited very seldom attract the same customer base. Council Member Swalberg noted that the majority of videos in the library are older, educational, historical, or classic movie video tapes, with very few home entertainment movies. In checking the current inventory, it was determined that there

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are very few videos in the library which are less than five years old. Council Member Swalberg also stated that most libraries in the state have videos and allow any individual who holds a current library card to check out any of the video tapes. Council Member Swalberg noted that Mrs. Howell has been invited to come to the library to view the video tape inventory but, as of this time, she has not taken advantage of that invitation.

Council Member Bloomfield commented that the matter of checking a video tape out of the library is the same as checking a book out of the library rather than going to a store and purchasing the book. Council Member Bloomfield felt that the Delta City Library is not causing any competition with Mrs. Howell's business.

City Librarian Deb Greathouse did an inventory today to see how many videos are available in the library. The library has a total of 1,151 video tapes, 45 to 50 of which have been checked out but have not been returned. Three hundred forty-nine of those videos are non-fiction; i.e., plumbing, welding, sculpture, history, biographies, etc., there are two hundred forty-seven children's videos, and five hundred thirty-eight movies. Some newer releases have been donated, such as "Shrek," which has been put on the shelf to be checked out. Ms. Greathouse stated that she had recently purchased a few DVD movies, which are more recent releases than any of the video tapes.

Mayor Bunker felt that the library should be careful in purchasing movies and videos which Mrs. Howell has for rent. Council Members felt that Delta City should respond to Mrs. Howell's concerns and be careful that we do not purchase videos which would be in competition with her video rental business.

Council Member Margaret Dutson asked if the city crew could put up chairs in the City Park and take them down on Saturday, August 10th for the Topaz Pilgrimage. The Council authorized paying overtime to public works employees for setting up and taking down chairs on August 10th.

Council Member Margaret Dutson reported that she had received several calls complaining about the smell from the sewer pond. Asst. Public Works Director Alan Riding told the Council that the sewer ponds frequently smell at this time of year due to the hot weather. The heat kills the bacteria and it takes about a week or so to regenerate the bacteria. There are aeration systems which can be utilized, but they cost approximately \$10,000 each and it would take at least three units for the ponds. The odor problem is temporary and usually lasts for about two weeks, which is a small amount of time for the expense involved in aeration.

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Mayor Bunker reminded the Council that they had previously discussed sending Karen Johnson to grant writing training. Mayor Bunker felt that there is a great need for someone on staff to be trained in finding and applying for grant money which may be available. A week long grant writing training has been located in Carson City, Nevada, in September, for which the tuition is \$775.00. Paying mileage for her to drive to Carson City would be approximately \$285.00, the room rate of \$40 per night would be approximately \$200 and meal allowance would be \$175.00, for a total of approximately \$1,400. Council Member Bloomfield felt that it would be difficult to find less expensive training. Mayor Bunker noted that the same training would be offered in Cheyenne, Wyoming in October and Denver, Colorado, in August, but it would be several months before another training is offered in Utah. The Council concurred that there is a need for staff to be trained in grant writing.

Mayor Bunker asked for suggestions for a date for a city employee party. Mayor Bunker suggested the party be held on August 14th, 6:00 p.m., at the North Pavilion in the City Park.

Mayor Bunker advised the Council that he had received a call from County Commissioner LaVar Cox stating that Congressman Chris Cannon will be in Delta on August 22nd to do a service project for approximately two hours. Commissioner Cox also requested that a public meeting be scheduled in the Delta City Council Chambers on that date.


City Attorney Richard Waddingham requested approval of the Council to revise the limitation of liability clause and make other minor modifications to the engineering contract presented by Sunrise Engineering. The contract presented by Sunrise Engineering limits their liability to the amount of proceeds paid out by the company. City Attorney Waddingham felt that clause was absolutely unacceptable and must be modified. The Council agreed to authorize City Attorney Waddingham to renegotiate the engineering contract with Sunrise Engineering.

Mayor Bunker asked if there were any comments, questions or other items to be discussed. There being none, Council Member Robert Droubay MOVED to adjourn the meeting. The motion was SECONDED by Council Member Bruce Curtis. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed

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unanimously. Mayor Bunker declared the meeting adjourned at 8:18 p.m.



GAYLE BUNKER, Mayor



GREGORY JAY SCHAFFER, CMC, City Recorder

MINUTES APPROVED: RCCM 08-12-02

